



General Assembly

February Session, 2022

Governor's Bill No. 5041

LCO No. 702



Referred to Committee on HOUSING

Introduced by:

Request of the Governor Pursuant
to Joint Rule 9

AN ACT CONCERNING HOME ENERGY AFFORDABILITY FOR HOME RENTERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective January 1, 2023*) (a) As used in this section,
2 "home energy label" means (1) a United States Department of Energy
3 Home Energy score, (2) a Home Energy Rating System Index score, (3)
4 an Energy Star score, or (4) other labels which may be selected by the
5 Commissioner of Energy and Environmental Protection under
6 subsection (b) of this section.

7 (b) The Commissioner of Energy and Environmental Protection may
8 qualify additional labels or replace an existing label as a home energy
9 label. In selecting such additional labels, the commissioner shall
10 consider factors including, but not limited to, (1) the efficiency of the
11 labeling process, (2) the clarity of the information the label provides
12 regarding the residence's estimated energy efficiency, (3) the
13 standardization of the label, (4) the label's compatibility with existing
14 nationally recognized labels, and (5) the reliability of the label. The

15 commissioner may also develop and adopt a label and corresponding
16 report, in a manner and form prescribed by the commissioner, that is
17 specific to the state. The commissioner's selection, replacement, or
18 development of labels under this section shall be conducted in an
19 uncontested proceeding pursuant to chapter 54 of the general statutes.

20 (c) (1) Any landlord, upon (A) listing any dwelling unit for rent
21 through a multiple listing service, real estate brokers' organization or
22 other service, organization, or facility related to the business of selling
23 or renting dwelling units, including private listing services, shall
24 provide a home energy label, with an electronic link to the Internet web
25 site containing the report for such home energy label, through such
26 service, organization or facility for each dwelling unit so listed, or (B)
27 offering any dwelling unit for rent through a means other than those
28 specified in subparagraph (A) of this subdivision, shall provide a home
29 energy label, with an electronic link to the Internet web site containing
30 the corresponding report for such home energy label, to any prospective
31 tenant who visits the dwelling unit.

32 (2) The provisions of this section shall not apply to (A) the rental of
33 any dwelling unit for which rent payments include a fixed amount for
34 all charges for electricity, natural gas or heating fuel, as defined in
35 section 16a-23m of the general statutes, (B) any dwelling unit in a
36 building that was constructed on or after January 1, 2000, or (C) on or
37 before July 1, 2026, any dwelling unit in any building occupied by the
38 landlord of such building as a residence.

39 (d) The provisions of this section shall apply (1) on or after July 1,
40 2023, to any municipality containing a census tract in which the average
41 percentage of gross household income spent on home heating and
42 electricity costs is at least ten per cent, (2) on or after July 1, 2024, to any
43 municipality containing a census tract in which the average percentage
44 of gross household income spent on home heating and electricity costs
45 is at least six per cent, (3) on or after July 1, 2025, to any municipality
46 containing a census tract in which the average percentage of gross
47 household income spent on home heating and electricity costs is four

48 per cent; and (4) on or after July 1, 2026, to all municipalities. The
49 Commissioner of Housing and the Commissioner of Energy and
50 Environmental Protection shall, not later than March first of each year,
51 publish on the Department of Housing's and the Department of Energy
52 and Environmental Protection's Internet web sites a list of
53 municipalities that qualify for the criteria set forth in subsection (d) of
54 this section according to the Low-income Energy Affordability Data
55 Tool maintained by the United States Department of Energy or a
56 successor tool.

57 (e) (1) Notwithstanding the provisions of section 51-164p of the
58 general statutes, any municipality subject to this section may, by
59 ordinance, establish a civil penalty payable to such municipality for a
60 violation of this section provided such civil penalty shall not exceed five
61 hundred dollars for a first violation and one thousand dollars for any
62 subsequent violation.

63 (2) Any person assessed any civil penalty under subdivision (1) of
64 this subsection may appeal such assessment to the Superior Court not
65 later than thirty days after the mailing date of the notice of such
66 assessment by filing a petition to reopen the assessment, together with
67 an entry fee equal to the entry fee for a small claims case under section
68 52-259 of the general statutes, at the superior court facility designated
69 by the Chief Court Administrator. Such petition shall entitle such person
70 to a hearing under the rules of the judges of the Superior Court.

71 (3) The remedies in this subsection shall be in addition to any other
72 remedies available at law, or in equity, to any person. This section shall
73 not be construed to limit or restrict the authority of any state or local
74 housing or health code enforcement agency.

75 Sec. 2. Section 47a-1 of the 2022 supplement to the general statutes is
76 repealed and the following is substituted in lieu thereof (*Effective January*
77 *1, 2023*):

78 As used in this chapter and sections 47a-21, 47a-23 to 47a-23c,
79 inclusive, 47a-26a to 47a-26g, inclusive, 47a-35 to 47a-35b, inclusive, 47a-

80 41a, 47a-43, [and] 47a-46, [and section] 47a-7b and section 1 of this act:

81 (a) "Action" includes recoupment, counterclaim, set-off, cause of
82 action and any other proceeding in which rights are determined,
83 including an action for possession.

84 (b) "Building and housing codes" include any law, ordinance or
85 governmental regulation concerning fitness for habitation or the
86 construction, maintenance, operation, occupancy, use or appearance of
87 any premises or dwelling unit.

88 (c) "Dwelling unit" means any house or building, or portion thereof,
89 which is occupied, is designed to be occupied, or is rented, leased or
90 hired out to be occupied, as a home or residence of one or more persons.

91 (d) "Landlord" means the owner, lessor or sublessor of the dwelling
92 unit, the building of which it is a part or the premises.

93 (e) "Owner" means one or more persons, jointly or severally, in whom
94 is vested (1) all or part of the legal title to property, or (2) all or part of
95 the beneficial ownership and a right to present use and enjoyment of the
96 premises and includes a mortgagee in possession.

97 (f) "Person" means an individual, corporation, limited liability
98 company, the state or any political subdivision thereof, or agency,
99 business trust, estate, trust, partnership or association, two or more
100 persons having a joint or common interest, and any other legal or
101 commercial entity.

102 (g) "Premises" means a dwelling unit and the structure of which it is
103 a part and facilities and appurtenances therein and grounds, areas and
104 facilities held out for the use of tenants generally or whose use is
105 promised to the tenant.

106 (h) "Rent" means all periodic payments to be made to the landlord
107 under the rental agreement.

108 (i) "Rental agreement" means all agreements, written or oral, and

109 valid rules and regulations adopted under section 47a-9 or subsection
 110 (d) of section 21-70 embodying the terms and conditions concerning the
 111 use and occupancy of a dwelling unit or premises.

112 (j) "Roomer" means a person occupying a dwelling unit, which unit
 113 does not include a refrigerator, stove, kitchen sink, toilet and shower or
 114 bathtub and one or more of these facilities are used in common by other
 115 occupants in the structure.

116 (k) "Single-family residence" means a structure maintained and used
 117 as a single dwelling unit. Notwithstanding that a dwelling unit shares
 118 one or more walls with another dwelling unit or has a common parking
 119 facility, it is a single-family residence if it has direct access to a street or
 120 thoroughfare and does not share heating facilities, hot water equipment
 121 or any other essential facility or service with any other dwelling unit.

122 (l) "Tenant" means the lessee, sublessee or person entitled under a
 123 rental agreement to occupy a dwelling unit or premises to the exclusion
 124 of others or as is otherwise defined by law.

125 (m) "Tenement house" means any house or building, or portion
 126 thereof, which is rented, leased or hired out to be occupied, or is
 127 arranged or designed to be occupied, or is occupied, as the home or
 128 residence of three or more families, living independently of each other,
 129 and doing their cooking upon the premises, and having a common right
 130 in the halls, stairways or yards.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2023</i>	New section
Sec. 2	<i>January 1, 2023</i>	47a-1

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]